

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

-against-

Case No. 12 Cr. 185 (LAP)

JEREMY HAMMOND,

Defendant.

OBJECTIONS TO THE PRE-SENTENCE INVESTIGATION REPORT

Susan G. Kellman
Sarah Kunstler
Attorneys for Jeremy Hammond
25 Eighth Avenue
Brooklyn, NY 11217
(718) 783-8200
kellmanesq@aol.com

LAW OFFICES OF SUSAN G. KELLMAN
25 EIGHTH AVENUE • BROOKLYN, NEW YORK 11217
(718) 783-8200 • FAX (718) 783-8226 • KELLMANESQ@AOL.COM
FELLOW, AMERICAN COLLEGE OF TRIAL LAWYERS

November 1, 2013

VIA E-MAIL

Ms. Susan P. Matthews
Senior United States Probation Officer
U.S. Department of Probation
233 Broadway, 14th Floor
New York, NY 10279

Re: **U.S. v. Jeremy Hammond**
12 Cr. 185 (LAP)

Dear Ms. Matthews:

Please accept the following "Objections" to the Pre-Sentence Report ("PSR") by Jeremy Hammond.

OBJECTIONS TO THE PRE-SENTENCE REPORT

Paragraph 61 of the PSR states that Mr. Hammond's 2006 Pre-Sentence Report indicates that Mr. Hammond "failed to maintain employment" while on bond during the period between his guilty plea and sentence for a prior federal offense. At the Pre-Sentence Interview, however, at which counsel was present, Mr. Hammond explained that he, in fact, maintained employment while on pre-trial release, except during the two week period prior to his voluntary surrender. Further, he explained that he left the job shortly before his surrender date so that he could prepare for his impending incarceration and say an appropriate goodbye to family and friends.

Further, please note that Mr. Hammond is held in very high esteem by his prior employer, Rome & Company. We have attached, for your review, two letters written by Jerry Roman, Mr. Hammond's employer. In his letter dated October 5, 2009, Mr. Roman writes that he has known Mr. Hammond since August 2006, and that he hired him twice as a web programmer. He notes that "the second time, following his period of detention, was with enthusiasm and without hesitation." He describes Mr. Hammond as "friendly, courteous, and polite" and "extremely respectful of the business needs of Rome & Company and its clients."

In a recent letter of support written to the Court in this case, Mr. Rome calls Mr. Hammond "a social treasure." He further notes that Mr. Hammond's "passionate outreach to people in need is exemplary. Jeremy is intelligent, thoughtful and kind; his

potential for doing good work is nearly limitless. His motivation has always been fairness, never personal gain."

The praise heaped upon Mr. Hammond by his prior employer is corroborative of Mr. Hammond's position that the 2006 PSR's statement that he "failed to maintain employment" is incorrect. Accordingly, we request that paragraph 61 be corrected to reflect the realities of Mr. Hammond's employment situation.

Paragraph 83 of the PSR, reflects that during your interview with Mr. Hammond, you requested telephone information for his girlfriend, mother and brother, and that "through counsel, the defendant said those individuals would prefer not to be interviewed and would rather rely on letters they have written on behalf of the defendant." On October 8, 2013, and well before the release of the draft PSR, our office provided you with letters from Mr. Hammond's brother and mother via e-mail. Your report makes no mention of those letters, and does not include any of the information supplied by Mr. Hammond's family. We ask that the paragraph be corrected to reflect that family members have provided information via correspondence and that the letters be attached to the PSR. We have also attached a letter of support written by Mr. Hammond's girlfriend, Maria Sosa, to the Court, which was recently received by our office.

Thank you for your kind consideration in this matter.

Very truly yours,

A handwritten signature in black ink, appearing to read "Susan G. Kellman", followed by a long horizontal line extending to the right.

SUSAN G. KELLMAN
SARAH KUNSTLER
Attorneys for JEREMY HAMMOND

cc: Honorable Loretta A. Preska, Chief Judge
United States District Court

AUSA Rosemary Nidiry
AUSA Thomas Brown

October 15, 2013

Jerry Roman
President/Owner, Rome & Company
(Formerly) Chicago, Illinois

Honorable Judge Loretta Preska
Federal District Court
For the Southern District of New York

Dear Judge Preska:

My company employed Jeremy Hammond for two periods before and after his first conviction.

Attached is my letter of 2009 addressing the court then sentencing Jeremy; possibly a copy of that letter was used in Jeremy's current defense. I have not changed my assessment of his character in spite of his recent actions.

Jeremy is a social treasure. His passionate outreach to people in need is exemplary. Jeremy is intelligent, thoughtful, and kind; his potential for doing good works is nearly limitless. His motivation has always been fairness, never personal gain.

We have to rethink how we channel our intellectual assets. Excessive jail time is not the answer.

Respectfully,

Jerry Roman



CREATIVE // BRANDING // MARKETING // ECOMMERCE

To: All concerned parties
Re: Jeremy Hammond
From: Jerry Roman, Rome & Company
Date: October 5, 2009

I have known Jeremy Hammond since August, 2006. Twice I have hired Jeremy as a web programmer; the second time, following his period of detention, was with enthusiasm and without hesitation.

Jeremy's behavior in our offices is exemplary. He is focused and productive—his programming skills are exceptional.

With fellow employees Jeremy is friendly, courteous and polite; and while we suspect he has a low tolerance for corporate posturing, he has never demonstrated any contempt for business in the workplace; rather, he has always been extremely respectful of the business needs of Rome & Company and its clients.

Jeremy is a thoughtful, intelligent and valuable member of our development team that we would very much like to keep.

Respectfully,

Jerry Roman
Owner, President,
Rome & Company

Susan Matthews
United States District Court
Southern District of New York
Probation Office
233 Broadway, 14th Floor
New York, NY 10279

October 4, 2013

Dear Ms. Matthews,

My name is Rosanne Collins and Jeremy Hammond is my son. It was reported to me that at my son's pre-sentence interview, you questioned the support he receives from his family in light of the fact that this is not his first offense. I found this upsetting, and for this reason, I have decided to communicate with you in writing, rather than by telephone. If you have any further questions after reading this letter, please send them to Susan Kellman or Sarah Kunstler and they will make sure to relay them to me. I am happy to provide any information requested.

I was together with Jason and Jeremy's dad (John "Jack" Hammond) for 8 years. We never married, and split up when the boys were 3 years old but have always had a good relationship. I have been married to James Collins for 24 years. We left Chicago around 1990-1991 but have always been close to Jeremy and Jason and were there for them financially and emotionally, even though I was not the custodial parent.

Jeremy and Jason were extremely bright kids. Their dad was always challenging them. He read to them all the time. Jeremy excelled at chess and computers and he did really well in school. His dad raved that he got straight As without a lot of effort. When he was nine years old, he was designing computer games. Jason and Jeremy have always been very creative and innovative. One time I took away their Nintendo, only to find that the boys had created a pretend video game using paper, pen and tape and played it. They got around my punishment in their own way and I couldn't argue with it because they were doing something constructive.

Economically, they did okay. Jack was a guitar teacher and had a studio that he rented out for bands to rehearse in. They weren't rich and I'm sure it was a bit of a struggle, but the kids were fed and had decent clothing. My husband James and I paid about \$350 a month in child support as well as covering health insurance for them until they were out of college. We also helped out when unexpected things came up, such as braces for both of them.

Including the twins, I have four children and a godson. Michael and Mark live here in Texas at the address below. Randy is 21, a cancer survivor and high-school graduate. Randy works two jobs – at a pizza place where he is a manager, and at a restaurant where he is a cook. He has an apartment near our house and is also attending a community college, planning on transferring to a 4-year college. Michael is 18. He is an outstanding musician much like and inspired by Jason. He just graduated high school, receiving jazz and marching band awards, and is currently working at a Subway. He also has a Reggae band. He will be going to school to study music, either in the Spring or next Fall. His plan is to go to Texas State. We also have a godson living with us – Mark Bell. Mark is 21 and he is a construction worker. He has lived with us since he was 15. Jeremy and Jason were pretty close with Randy and Michael growing up. Basically, they

Ms. Susan Matthews
United States District Court
Page 2

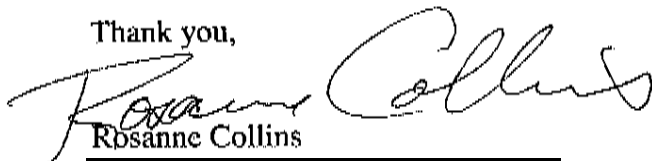
both thought the twins were super cool. They haven't seen Jeremy since the summer before he was arrested but talked on the phone from time to time.

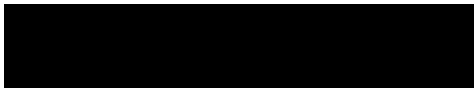
As far as work, I spent 15 years as a volunteer at schools my younger kids attended, and at my church. Now I am employed at a 7-Eleven near my home as the food service manager. I have held this job for about four months. My husband James is a technical manager at Cisco Systems. He has been there since 2000.

I am a conservative Christian and Jeremy and I are very politically different. I may not agree with him on everything, but I hold him in very high esteem. I admire that he practices what he preaches. I admire his passion and his convictions. He acts the way he believes other people ought to act. Jeremy feels that it is his responsibility as a human being to support others, to stand up for what he believes is right, and to try to make a positive difference in his community, this country, and the world. I try to do the same on a much smaller scale. I wish I could devote myself to a cause like he does. He is a man that is true to himself. I wish I were more like that.

Let me say this to you again because it is very important. I am proud of Jeremy, his passion, his high standards, and his ability to live how he believes others should. I am proud of the fact that he goes out of his way to help others and has done so on a large scale at great personal risk. He gives unselfishly of himself. I do support my son and always have, whether I agree with his philosophy or not. This country needs more people like Jeremy. Perhaps if congress had more like him, they would do the right thing and avoid the high-school drama that they are now performing before the world.

Thank you,


Rosanne Collins



Jason Hammond

[REDACTED]

Susan Matthews
United States District Court
Southern District of New York
Probation Office
233 Broadway, 14th Floor
New York, NY 10279

October 1, 2013

Dear Ms. Matthews:

My name is Jason Hammond. I am Jeremy Hammond's twin brother. I currently live at [REDACTED]. I understand that United States Probation is interested in speaking with members of Jeremy's family to corroborate information that he shared about his background. I have spoken with my mother, and we have decided that we would prefer to answer these questions by letter.

Jeremy and I are twins – our birthday January 8, 1985. We were born in Hindsdale, Illinois, a suburb of Chicago. Our parents are Roseanne Collins and John Hammond. They were together for about four years. After that, we lived with our dad but spent time with our mom. After they separated, my mom lived in Chicago until Jeremy and I were about 7 years old. My mom got married and she and her husband moved out of state for her husband's job. Even after she moved, we stayed close to her and visited her whenever we could.

Our dad taught us how to read and do arithmetic before kindergarten. His focus on learning helped us to excel in school. Education was always really important to him and to us. Jeremy and I have always been really close. We were pretty similar growing up – we played a lot of legos, read a lot of science fiction, played a lot of baseball. We both really liked school.

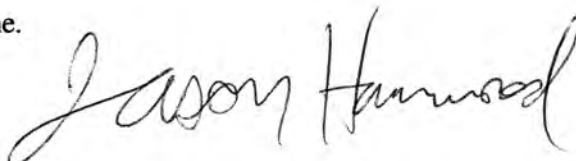
Jeremy got our first apartment together in 2004 when we were in our second year of college. We have basically lived together ever since. From about September 2010 to March 2012, I lived with my brother Jeremy at [REDACTED]. The rent was \$750 plus utilities.

I am aware of the charges that Jeremy has pled guilty to, and I fully support him. I know that both of my parents do too.

If you have any questions, please contact Jeremy's attorneys and they will get them to me.

Thanks for your time.

Jason Hammond



Chef Maria Sosa

Honorable Loretta A. Preska
Chief Judge
Southern District of New York
500 Pearl Street
New York, NY. 10007

10/08/2013

Dear Judge Preska:


My Name is Maria Sosa I live in Chicago and work as a professional Chef who has worked closely with other chefs in creating community dinners for at risk youth and who has also used my talents to raise funds for Women's Shelters and other Community organizations who are in need of funding. Judge Preska, I am aware that Jeremy has pled guilty to violating the Computer Fraud and Abuse Act. But I would like to ask you to please consider some leniency towards him...I Beg of you. I have known Jeremy for well over 7 years; he is my partner, fiancé and my best friend, my confidant. And in my correspondences with him he has shown me that when released he will lead a normal life with me and will not risk going back and being separated from me again.

My most fond memory of him is one of our last conversations we had in person. We talked about how we wanted to see the next generation of at risk youth gain self confidence and independence. We also talked about how the younger generations deserve to know the unconditional love and faith in humanity and that it is up to us as an older generation and with actions that we continue to show that to the generations that follow.

I knew from day one, that he was the one. He's humble, generous and Courageous and has always seen the positive in every situation no matter how negative it seemed. I met him while working with a group that fed a community who otherwise would have not have had a decent meal that day. His consideration for the well being of others surpasses anyone that I have ever met. Love is such a powerful deterrent Judge Preska and the love that Jeremy and I have will guarantee that he not repeat the actions that have put him in Prison. I will make sure of that!

Please take into consideration that his actions were not meant to hurt anyone and his motivations were not for financial gain. Again, I understand that he has to be held accountable for his actions. I also feel that almost two years in prison away from his love, his family, and most importantly his community has made him really think about his actions. I humbly ask of you, please allow Jeremy to be next to me and his family and the people who love him.

Sincerely,


Maria Sosa